

**REMARKS**

Reconsideration of the allowability of the present application is requested respectfully.

**Status of the Claims**

Claims 1 to 66 were acted upon by the Examiner in the Office Action dated October 18, 2004. Claims 1 to 5, 7, 10 to 20, 23, 25, 31 to 39, 41, and 47 to 66 have been canceled without prejudice. Claims 6, 21, 22, 24, 26 to 30, 40, and 42 to 46 have been deemed allowable over the art of record. Claims 8 and 9 have been amended. No claims have been added. Accordingly, Claims 6, 8, 9, 21, 22, 24, 26 to 30, 40, and 42 to 46 are presented for examination.

Claim 8 has been amended to depend from claim 6. Claim 9 has been amended to recite "or of a complementary polynucleotide sequence of SEQ ID NO: 1" instead of "or of a complementary polynucleotide sequence of said isolated nucleic acid".

**ARGUMENTS****The Objections to the Specification**

The specification has been objected to for not identifying the sequences of Figure 3 in the description. Applicants have amended the Brief Description of the Drawings to include sequence identifiers for the sequences of Figure 3. Accordingly, Applicants respectfully request that the Examiner's objection to the specification be withdrawn.

**The §112, Second Paragraph, Rejections of Claim 9**

The Examiner has rejected Claim 9 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention.

The Examiner has asserted that Claim 9 is indefinite because the phrase "said isolated nucleic acid" lacks antecedent basis. Applicants have amended Claim 9 to recite "or of a complementary polynucleotide sequence of SEQ ID NO: 1" instead of "or of a complementary polynucleotide sequence of said isolated nucleic acid". Accordingly, it is now clear, in Claim 9, that the complementary polynucleotide sequence must be complementary to a nucleic acid of SEQ ID NO:1.

SYNNESTVEDT & LECHNER LLP

In re Application of Icard-Liepkalns, et al.  
Application No. 09/595,947

Attorney Docket No. P26,952 USA

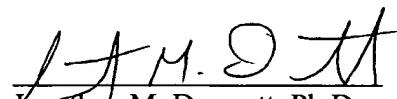
April 18, 2005

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In view of the above amendment, applicants respectfully request that the rejection of Claim 9 under 35 U.S.C. §112, second paragraph, be withdrawn.

A favorable action on the merits is requested respectfully.

Respectfully submitted,

  
Jonathan M. Dermott, Ph.D.  
Reg. No. 48,608

Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
Telephone - (215) 923-4466  
Facsimile - (215) 923-2189

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